

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David R. Hathaway

Patent. No.: **7,259,136**

Issued: **August 21, 2007**

For: **COMPOSITIONS AND METHODS
FOR TREATING PERIPHERAL
VASCULAR DISEASE**

Art Unit: **1653**

Examiner: **Liu, Samuel W.**

Atty. Docket: **0213-CIP3-9**

Confirm. No.: **8234**

COMMUNICATION RE PATENT TERM ADJUSTMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Issue Notification mailed August 1, 2007 states the determination of Patent Term Adjustment under 35 U.S.C. 154(b) as 597 days. Applicant has calculated the patent term adjustment and determines that the correct period of adjustment may be 341 days.

- i) Applicant calculates a credit of 297 days for PTO delay for failing to mail a notification under 35 U.S.C. 132 or a notice of allowance under 35 U.S.C. 151 not later than 14 months after the date on which the application was filed under 35 U.S.C. 111(a).
- ii) Applicant calculates a credit of 113 days for failure of the PTO to issue a patent within 3 years after the date on which the application was filed under 35 U.S.C. 111(a).

CERTIFICATE OF TRANSMITTAL UNDER 37 C.F.R. 1.8

I hereby certify that this paper (along with anything referred to as being attached or enclosed) is being electronically filed via EFS-Web at the United States Patent and Trademark Office, on the date shown below.

2/20/08
Date of Deposit

Marutzzella Castro
Marutzzella Castro

iii) Applicant calculates a reduction of 69 days for periods in excess of 3 months taken to reply to a PTO notice or action making any rejection, objection, argument or other request.

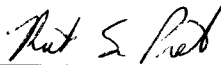
iv) Applicant calculates an exclusion of 489 days for the period consumed by continued examination of the application under 35 U.S.C. 132(b).

$297 + 113 - 69 = 341$ days.

Applicant hereby notifies the PTO of the potential error.

Respectfully submitted,
AMYLIN PHARMACEUTICALS, INC.

Dated: February 20, 2008

By: 
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